

TITLE 327 WATER POLLUTION CONTROL BOARD

IDEM-S SUGGESTED CHANGES TO PROPOSED RULE

LSA Document #98-272 (WPCB)

Revisions made by LSA under the Administrative Rules Drafting Manual (IC 4-22-8-4(a)(2)) and incorporated into the printed version (LSA Document #98-272) have been made in the version of this rule presented to the board for final adoption.

Page 1 1. 327 IAC
8-2.1-1(a)

Insert **that** after **This rule establishes the minimum requirements for the content of annual reports**.

Delete **systems** after **Acommunity water** and insert **system**.

Delete **their** after **Ashall deliver to** and insert **its**.

Delete **Ashall** after **These reports** and insert **must**.

Delete **systems** after **Ainformation on the quality of the water delivered by the** and insert **system**.

Page 1 2. 327 IAC
8-2.1-1(c)

Delete **As used in this rule,** before **Acustomers**.

means billing units or service connections[@] and insert AIn addition to the definitions contained in 327 IAC 8-2-1, the following definitions apply throughout this rule: (1)[@].

Insert A(2) ADepartment[@]
means the Indiana department of environmental management.[@] after Acustomers[@] means billing units or service connections to which water is delivered to a community water system.[@]

Page 1 3. 327 IAC
8-2.1-1(d)

Delete A(d)[@] and insert A(3)[@].

Delete AAs used in this rule,[@].

Page 2 4. 327 IAC
8-2.1-2(a)

Delete AEach[@] before Aexisting community water system shall deliver[@] and insert AAn[@].

Delete Aby[@] after Aits first report[@] and insert Ano later than[@].

Delete Aby[@] after Aits second report[@] and insert Ano later than[@].

Delete **Aby@** after **Aand subsequent reports@** and insert **Ano later than@**.

Delete **Ashall@** after **AThe first report@** and insert **Amust@**.

Delete **Ashall@** after **AEach report thereafter@** and insert **Amust@**.

Page 2 5. 327 IAC
8-2.1-2(b)

Delete **Aby@** after **AA new community water system shall deliver it first report@** and insert **Ano later than@**.

Insert **Ano later than July 1"** after **Aafter its first full calendar year of operation and@**.

Page 2 6. 327 IAC
8-2.1-2(c)(1)

Delete **Aby@** after **Ano later than April 19, 1999,@** and insert **Ano later than@**.

Delete **Aby@** after **AApril 1, 2000, and@** and insert **Ano later than@**.

Page 2 7. 327 IAC
8-2.1-3(a)

Delete **AEach@** before **Acommunity water system shall provide@** and insert **AA@**.

Page 2 8. 327 IAC

8-2.1-3(b)

Delete **Ashall@** after **AThe report@** and insert **Amust@**.

Page 2 9. 327 IAC
8-2.1-3(b)(1)

Delete **AEach report shall identify@** before **Athe source or sources of the water@**.

Delete **Aby providing@** after **Adelivered by the community water system@** and insert **A, including@**.

Page 2 10. 327 IAC 8-2.1-3(b)(2)

Delete **Ashall@** after **AIf a source water assessment has been completed, the report@** and insert **Amust@**.

Delete **Ashall@** after **AWhere a system has received a source water assessment from the commissioner, the report@** and insert **Amust@**.

Page 2 11. 327 IAC
8-2.1-3(c)

Delete **AEach@** before **Areport must include the following definitions@** and insert **AThe@**.

Delete **Ashall@** after **AEach report@** and insert **Amust@**.

Page 3 12. 327 IAC
8-2.1-3(c)(1)

Insert quotations around the text of this subdivision.

Page 3 13. 327 IAC
8-2.1-3(c)(2)

Insert quotations around the text of this subdivision.

Page 3 14. 327 IAC
8-2.1-3(c)(3)

Delete **Ashall** after **A327 IAC 8-2-25"** and insert **Amust**.

Delete **A,** after **Ainclude**
and insert **A;**.

Insert quotations around
**A>variances and
exemptions= that means
state or Environmental
Protection Agency (EPA)
permission not to meet an
MCL or a treatment
technique under certain
conditions.**

Delete **Avariances** before **Aand exemptions** and insert **AVariations**.

Delete **Athat** after
**A>variances and
exemptions=**.

Delete **Astate** after
Ameans and insert
**AIndiana Department of
Environmental
Management**.

Insert **AU.S.** before
**AEnvironmental
Protection Agency**.

Delete **A(EPA)** after **AEnvironmental Protection Agency**.

Page 3 15. 327 IAC

8-2.1-3(c)(4)

Delete A**of environmental management**@ after A**department**@.

Delete A**shall**@ after A**treatment technique or an action level**@ and insert A**must**@.

Page 3 16. 327 IAC
8-2.1-3(c)(4)(A)

Insert quotations around the text of this clause.

Page 3 17. 327 IAC
8-2.1-3(c)(4)(B)

Insert quotations around the text of this clause.

Page 3 18. 327 IAC
8-2.1-3(d)

Delete A**This subsection specifies the requirements for information to be included in each report for**@ before A**contaminants subject to mandatory monitoring**@ and insert AA**report must include the information specified in this subsection for the following**@.

Delete A**Cryptosporidium. It applies to the following contaminants**@ after A**other than**@ and insert A***Cryptosporidium***@.

Page 3 19. 327 IAC
8-2.1-3(d)(3)

Insert A*@ after A**40 CFR 141.142**".

Page 3 20. 327 IAC
8-2.1-3(d)(4)

Delete A**shall**@ after A**The data relating to these contaminants**@ and insert A**must**@.

Delete A**shall**@ after A**chooses to include in its report**@ and insert A**must**@.

Page 3 21. 327 IAC
8-2.1-3(d)(5)

Delete A**shall**@ after A**The data**@ and insert A**must**@.

Delete A**the**@ after A**with EPA and**@.

Page 3 22. 327 IAC
8-2.1-3(d)(5)(A)

Delete A**shall**@ after A**the table or tables**@ and insert A**must**@.

Delete A**shall**@ after A**and the report**@ and insert A**must**@.

Page 3 23. 327 IAC
8-2.1-3(d)(5)(B)

Insert A*@ after A**40 CFR 141.142**".

Page 4 24. 327 IAC
8-2.1-3(d)(6)

Delete **Ashall@** after **Athe
table or tables@** and insert
Amust@.

Page 4 25. 327 IAC
8-2.1-3(d)(6)(C)

Delete **Ashall@** after **Athe
table@** and insert **must@**.

Delete **Ashall@** after **Aand
the report@** and insert
Amust@.

Page 4 26. 327 IAC
8-2.1-3(d)(6)(E)

Delete **Ashall@** after **AThe
report@** and insert **Amust@**.

Page 4 27. 327 IAC
8-2.1-3(d)(6)(I)

Delete **Ashall@** after **Asource
water assessments, and@**
and insert **Amust@**.

Delete **Ashall@** after **Athe
report@** and insert **Amust@**.

Page 4 28. 327 IAC
8-2.1-3(d)(7)

Delete **A,@** after **Adifferent
raw water sources@** and
insert **A: (A)@**.

Delete **Ashall@** after **Athe
table@** and insert **Amust@**.

Delete **Ashall@** after **Athe
report@** and insert **Amust@**.

Delete **A.@** after **Aeach**

separate distribution system@ and insert **A; or (B)@**.

Delete **AA****Alternatively, systems@** before **A****may produce separate reports@** and insert **A****the system@**.

Page 5 29. 327 IAC
8-2.1-3(d)(8)

Delete **Ashall@** after **A****The table or tables@** and insert **A****must@**.

Delete **Ashall@** after **A****and the report@** and insert **A****must@**.

Page 5 30. 327 IAC
8-2.1-3(d)(9)

Delete **ACryptosporium@** after **A****other than@** and insert **A*****Cryptosporium@***.

Delete **Ashall@** after **A****the table or tables@** and insert **A****must@**.

Page 5 31. 327 IAC
8-2.1-3(e)

Insert **A****Each report must contain@** before **A****The following information@**.

Delete **ACryptosporidium@** after **A****The following information on@** and insert **A*****Cryptosporidium@***.

Delete **A****is required@** after

**And other
contaminants@.**

Page 5 32. 327 IAC
8-2.1-3(e)(1)

Delete **A***Cryptosporium*@
after **A***If the system has
performed any
monitoring for*@ and insert
*A**Cryptosporium*@.

Delete **A***Cryptosporium*@
after **A***that indicates*@ and
insert *A**Cryptosporium*@.

Delete **A***shall*@ after **A***the
report*@ and insert **A***must*@.

Page 5 33. 327 IAC
8-2.1-3(e)(2)

Delete **A***shall*@ after **A***the
report*@ and insert **A***must*@.

Page 5 34. 327 IAC
8-2.1-3(e)(3)

Delete **A***considers*@ after
A*The commissioner*@ and
insert **A***and EPA
consider*@.

Page 5 35. 327 IAC
8-2.1-3(f)

Delete **A***(9)*@ after **A***In
addition to the
requirements of
subsection (d)*@ and insert
A*(6)*@

Delete **A***shall*@ after **A***the
report*@ and insert **A***must*@.

Delete **that occurred during the year covered by the report** after **note any violation**.

Insert **that occurred during the year covered by the report,** after **of a requirement listed in this subsection**.

Delete **The violations that shall be included are as follows** after **to correct the violation** and insert **Violations of the following requirements must be included**.

Page 6 36. 327 IAC
8-2.1-3(f)(2)

Delete **shall** after **the report** and insert **must**.

Delete **A, A inadequately** after **A potential health effects** and insert **A; A inadequately**.

Page 6 37. 327 IAC
8-2.1-3(f)(3)

Delete **shall** after **the report** and insert **must**.

Page 6 38. 327 IAC
8-2.1-3(f)(4)

Delete **shall** after **the report** and insert **must**.

Page 6 39. 327 IAC
8-2.1-3(g)

Delete **Ashall@** after **Athe report@** and insert **Amust@**.

Page 6 40. 327 IAC
8-2.1-3(h)

Insert **AThe following@**
before **AAdditional information@**.

Delete **Athat shall@** after
AAdditional information@
and insert **Amust@**.

Delete **Ais as follows@** after
Acontained in the report@.

Page 6 41. 327 IAC
8-2.1-3(h)(1)

Delete **AThe report shall contain@** before **Aa brief explanation@**.

Delete **Ashall@** after
Acomparable language.
The report@ and insert
Amust@.

Page 7 42. 327 IAC
8-2.1-3(h)(1)(C)

Delete **Ashall@** after
Acontaminants in bottled water that@ and insert
Amust@.

Page 7 43. 327 IAC
8-2.1-3(h)(2)

Delete **Areport shall include the@** before
Atelephone number of the owner@.

Page 7 44. 327 IAC
8-2.1-3(h)(3)

Delete **Adefined as** after
Anon-English speaking
residents, and insert **Ain**
which.

Delete **Aspeaking** after
Amore of the residents
and insert **Aspeak**.

Delete **Ashall** after **Athe**
report and insert **Amust**.

Page 7 45. 327 IAC
8-2.1-3(h)(4)

Delete **Ashall** after **AThe**
report and insert **Amust**.

Delete **A, which may**
include, but is not limited
to, time and place of
regularly scheduled
board meetings, after
Ainclude information.

Insert **AThis information**
may include, but is not
limited to, the time and
place of regularly
scheduled board
meetings, after **Aaffect the**
quality of water.

Page 8 46. 327 IAC
8-2.1-4(a)

Delete **AAll reports shall**
before **Aprominently**
display the language and
insert **AA report must**.

Delete **A,** after

prominently display the language@ and insert A;@.

Delete A**shall@** after A**These people@** and insert A**should@.**

Delete A**EPA and CDC @** after A**health care providers.@** and insert A**U.S. Environmental Protection Agency and Centers for Disease Control@.**

Delete A**Cryptosporidium@** after A**risk of infection by@** and insert A**Cryptosporidium@.**

Page 8 47. 327 IAC
8-2.1-4(b)(1)

Delete A**a short informational statement about arsenic, such as, AEPA @** after A**Include in its report@** and insert A**the language; AThe U.S. Environmental Protection Agency@.**

Page 8 48. 327 IAC
8-2.1-4(c)

Insert A**(5)@** after A**five@.**

Delete A**(5 mg/l)@** after A**milligrams per liter@.**

Page 8 49. 327 IAC
8-2.1-4(c)(1)

Delete A**, a short informational statement about the effects of**

nitrate on children using language such as,@ after **AInclude in its report**@ and insert **Athe language;**@.

Page 8 50. 327 IAC
8-2.1-4(d)

Delete **A**but fewer than@ after **AIf a system detects lead above the action level in more than five percent (5%)**@ and insert **Aand up to and including**@.

Page 8 51. 327 IAC
8-2.1-4(d)(1)

Delete **Aa short informational statement about the special impact of lead on children using language such as,**@ after **AInclude in its report**@ and insert **Athe language;**@.

Page 9 52. 327 IAC
8-2.1-4(e)

Insert **Ain its report**@ after **Ait shall include**@.

Page 9 53. 327 IAC
8-2.1-5(a)

Delete **A**Each@ before **Acommunity water system**@ and insert **AA**@.

Page 9 54. 327 IAC
8-2.1-5(b)

Delete **A**each@ after **Aa good faith effort to**@ and insert **Ainform**@.

Delete **Areach**@ after **AA good faith effort to**@ and insert **Ainform**@.

Delete **Aa mix of**@ after **Abut is not limited to**@.

Page 9 55. 327 IAC
8-2.1-5(c)

Delete **Aeach**@ after **Athe report to its customers**@ and insert **Aa**@.

Page 9 56. 327 IAC
8-2.1-5(d)

Delete **Aeach**@ after **Athe report to its customers**@ and insert **Aa**@.

Page 10 57. 327 IAC
8-2.1-5(e)

Delete **AEach**@ before **Acommunity water system**@ and insert **AA**@.

Page 10 58. 327 IAC
8-2.1-5(f)

Delete **AEach**@ before **Acommunity water system**@ and insert **AA**@.

Page 10 59. 327 IAC
8-2.1-5(g)

Delete **AAll**@ before **Acommunity water systems**@ and insert **AA**@.

Delete **Asystems**@ after **Acommunity water**@ and insert **Asystem**@.

Delete **Atheir**@ after **Ashall retain copies of**@ and insert **Aits**@.

Page 10 60. 327 IAC
8-2.1-6(a)

Delete **Aall**@ after **Asection 3 of this rule**@ and insert **Aa**@.

Delete **Asystems**@ after **Acommunity water**@ and

insert A**system**@.

Page 11 61. 327 IAC
8-2.1-6(a), Table 53-1:
Converting MCL
Compliance Values for
Customer Confidence
Reports

Renumber the table A**Table 6-1**".

Page 11 62. 327 IAC
8-2.1-6(a), Table 53-1:
Converting MCL
Compliance Values for
Customer Confidence
Reports

Delete A**Presence of
coliform bacteria in $\geq 5\%$
of monthly samples for
systems serving > 33,000
customers or presence of
coliform bacteria in more
than one sample per
month for systems
serving $\leq 33,000$
customers.**@ under column
four titled A**MCL in CCR
Units for Total Coliform
Bacteria**@ and insert A**5%
of monthly samples are
positive (systems that
collect forty (40) or more
samples per month); one
(1) positive monthly
sample (systems that
collect fewer than forty
(40) samples per month).**@

Page 11. 63. 327 IAC
8-2.1-6(a), Table 53-1:
Converting MCL
Compliance Values for
Customer Confidence
Reports

Delete **AE. coli** both times it appears row two, and insert **AE. coli**.

Page 14. 64. 327 IAC
8-2.1-6(a), Table 53-1:
Converting MCL
Compliance Values for
Customer Confidence
Reports

Delete **A0** under column
five titled **AMCLG in
CCR Units** for **A73.
TTHMs (Total
trihalomethanes)** and
insert **An/a**.

Page 14 65. 327 IAC
8-2.1-6(b)

Delete **Aall** after **Asection 3
of this rule**, and insert **Aa**.

Delete **Asystems** after
Acommunity water and
insert **Asystem**.

Page 15 66. 327 IAC
8-2.1-6(b), Table 53-2:
Regulated Contaminants

Renumber the table **ATable
6-2**.

Page 15 67. 327 IAC
8-2.1-6(b), Table 53-2:
Regulated Contaminants

Delete **APresence of
coliform bacteria in $\geq 5\%$
of monthly samples for
systems serving > 33,000
customers or presence of
coliform bacteria in more
than one sample per
month for systems**

serving \leq 33,000 customers.@ under column three titled **AMCL**@ and insert **A5% of monthly samples are positive (systems that collect forty (40) or more samples per month); one (1) positive monthly sample (systems that collect fewer than forty (40) samples per month).**@.

Page 15 68. 327 IAC
8-2.1-6(b), Table 53-2:
Regulated Contaminants

Delete **AE. coli**@ both times it appears row two, and insert **AE. coli**@.

Page 21 69. 327 IAC
8-2.1-6(b), Table 53-2:
Regulated Contaminants

Delete **A0"** under column two titled **AMCLG**@ for **A73. TTHMs (Total trihalomethanes)(ppb)**@ and insert **An/a**@.

Page 21 70. 327 IAC
8-2.1-6(c)

Insert **AThe following language shall be used**@ before **AIf there is a violation**@.

Delete **A, the following language shall be used**@ after **Ahealth effects language is required**@.

Page 21 71. 327 IAC

8-2.1-6(c)(1)(B)

Delete ***A*E. coli** both times
it appears in this clause,
and insert ***A*E. coli**.

Page 72. 327 IAC
8-2.1-6(c)(3)(H)

Delete ***A*shall** after ***A*People
with Wilson's Disease**
and insert ***A*should**.

Page 24 73. 327 IAC
8-2.1-6(c)(4)(I)

Delete ***A*major** after ***A*years could experience** and insert ***A*minor**.